

To: CN=Mary Simms/OU=R9/O=USEPA/C=US@EPA[]
From: CN=Alexis Strauss/OU=R9/O=USEPA/C=US
Sent: Tue 12/22/2009 7:29:20 PM
Subject: Re: Fw: EPA Interview - Bay Delta workplan
http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/strategic_plan/docs/baydelta_workplan_final.pdf
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Just rec'd something, will fwd to you
Sent by EPA Wireless E-Mail Services

----- Original Message -----

From: Mary Simms
Sent: 12/22/2009 11:04 AM PST
To: Karen Schwinn
Cc: Alexis Strauss; Bruce Herbold
Subject: Re: Fw: EPA Interview - Bay Delta workplan
Hi Everyone,

Just wanted to check in and find out if there are any updates re: the release of the workplan. We're set up to interview with Mike T. from the Contra Costa Times at 2pm. The interview will be embargoed until the report is released.

Please let me know if there's any assistance I can provide in advance of the interview.

Thanks!
Mary

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From: Karen Schwinn/R9/USEPA/US
To: Mary Simms/R9/USEPA/US@EPA
Cc: Alexis Strauss/R9/USEPA/US@EPA, Bruce Herbold/R9/USEPA/US@EPA
Date: 12/21/2009 02:24 PM
Subject: Re: Fw: EPA Interview - Bay Delta workplan

CEQ is still tinkering with the workplan but here's our section on water quality. I'm told 2:00 tomorrow (I assume EST) is release. Still haven't seen a PR. I am not available tomorrow afternoon but I reserved time on Alexis' calendar at 2:00 for the interview. And Bruce Herbold will join in the event that MT has technical questions. I'll check in with you later today and/or in the morning, as I get the roll-out material. Feel free to cut and paste this excerpt into an email to MT. As soon as I get a final copy of the entire document, I will send.

This is an excerpt from "Interim Federal Action Plan for the California Bay-Delta"---->

Federal agencies will target their efforts to investigate and mitigate the impacts of stressors on imperiled native species and the Bay-Delta ecosystem. Water quality in the Delta and its tributaries is impaired, contributing to the ecological and water supply crisis in the Bay-Delta. While there is no question that pumping operations in the Bay-Delta are negatively impacting listed species, many other factors are contributing to the estuary's water quality degradation, including agricultural runoff, nutrients, aquatic pesticides, urban stormwater and wastewater, legacy mercury from upstream historic mine sites, and non-native species introduced via ballast water and other routes. To address these other stressors, Federal agencies will do the following:

A) NAS Review: NAS has committed to help evaluate the potential impacts that other stressors, including pesticides, discharges of urban pollutants (including ammonia), and invasive species, may be having on endangered species in the Bay-Delta. Federal agencies will work closely with NAS and supply the review panel with all relevant information that may be useful to its review of these important issues.

B) Water Quality: EPA will assess the effectiveness of the current regulatory mechanisms designed to protect water quality in the Delta and its tributaries, including standards for toxics and estuarine habitat protection.

This assessment will be designed in consultation with the SWRCB and the Central Valley Regional Water Quality Control Board (CVRWQCB). In July 2008, these Water Boards adopted a Strategic Workplan for guiding their Bay-Delta activities. http://www.swrcb.ca.gov/waterrights/water_issues/programs/bay_delta/strategic_plan/docs/baydelta_workplan_final.pdf

EPA will continue to support many of the significant activities in that Workplan through technical and financial assistance. Over the next several years, the State anticipates multiple point-source permit renewals, new State standards for the Southern Delta and lower San Joaquin River, and Total Maximum Daily Loads (TMDLs) for pesticides in the Central Valley and mercury in the Delta. EPA's assessment will complement these ongoing State activities as well as new requirements in the recent California legislation.

EPA will work with the State Board in issuing an Advanced Notice of Public Rulemaking (ANPR) to solicit public input on the array of water quality stressors and approaches to better protect water quality for all beneficial uses, including the interactive/additive effects of various stressors, which are difficult to address under the current regulatory framework. EPA will evaluate and synthesize the input received to assist California regulators as they consider amending water quality standards and requirements. As part of this effort, EPA will work with the Water Boards to consider whether permitted point and nonpoint source dischargers are imposing unacceptable stresses on aquatic resources and, if so, what additional controls are appropriate. EPA will collaborate with NAS as this assessment proceeds.

C) Water Quality Monitoring: EPA will work with other State and Federal agencies to establish a comprehensive water quality monitoring and assessment program in the Delta and its tributaries. Significant water quality monitoring is being done in the Delta watershed, but the efforts are fragmented. Information is being collected in incompatible formats, and there is no systematic attempt to analyze or effectively use the information. EPA and DOI will work with other Federal and State agencies to better integrate existing and planned monitoring programs and to develop long-term funding and governance agreements. Integration will include the following programs, at a minimum:

The Interagency Ecological Program;

The Delta Regional Monitoring Program being developed by the Central Valley Water Regional Water

Quality Control Board (CVWRWQCB);

EPA's under-development San Joaquin Basin Monitoring Strategy;

The Sacramento River Watershed Program;

Potential BDCP water quality monitoring requirements;

Future San Joaquin River Restoration Program monitoring activities; and

The CALFED Science Program (to become the Delta Science Program).

D) Pesticides: Using its authority under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is addressing issues related to the potential effects of pesticides to threatened or endangered species in the Bay-Delta while, to the extent appropriate, continuing to keep pest control tools available. EPA will complete Biological Assessments and ESA consultations for 74 pesticides and eleven species in the Bay-Delta. Where adverse impacts to Bay-Delta aquatic resources are indicated, EPA will make necessary changes to pesticide application guidelines.

E) Invasive Species: Federal agencies will reinforce their cross-agency collaboration in the FWS-led Bay-Delta Non-Native Invasive Species (NIS) program. The program will focus on preventing the introduction of new invasives (e.g., quagga mussels), limiting or eradicating existing invasives (e.g., *Egeria densa*), and reducing adverse impacts from infestations. Additionally, pursuant to the Clean Boating Act of 2008, EPA will promulgate regulations concerning cleaning of recreational boats as they move between waters in order to reduce potential for invasive species movement.

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From: Mary Simms/R9/USEPA/US
To: Karen Schwinn/R9/USEPA/US@EPA, Alexis Strauss/R9/USEPA/US@EPA
Date: 12/21/2009 12:55 PM
Subject: Fw: EPA Interview - Bay Delta workplan

Mike Taugher of the Contra Costa Times would like to do an interview tomorrow afternoon with the expectation that all information provided will be embargoed until the workplan is released. Also, he's interested in any materials we're able to share under embargo.

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----- Forwarded by Mary Simms/R9/USEPA/US on 12/21/2009 12:52 PM -----

From: "Taugher, Mike" <mtaugher@bayareanewsgroup.com>
To: Mary Simms/R9/USEPA/US@EPA
Date: 12/21/2009 12:45 PM
Subject: RE: EPA Interview - Bay Delta workplan

Hi Mary,

Ok. How about tomorrow afternoon, any time? I don't know if it's possible, but it would help me prepare for the interview if I had a copy of either the multi-agency plan or the advanced notice of proposed rule-making, which I could take under embargo.

Thanks,
Mike

From: Simms.Mary@epamail.epa.gov [mailto:Simms.Mary@epamail.epa.gov]
Sent: Monday, December 21, 2009 12:20 PM
To: Taugher, Mike
Subject: RE: EPA Interview - Bay Delta workplan

Hi Mike,

This is regarding the multi-agency plan that was originally set to be issued Dec 15. We recognize it's an important topic and one that you've previously expressed interest in and covered thoroughly so we'd be happy to explain EPA's piece of it. The workplan will also include activities of DOI, NOAA-Fisheries, the Corps, and NRCS.

Our Associate water division director Karen Schwinn relayed that the info she gave you last month is still accurate -- there are no plans to do a "rule-making" related to the Delta. EPA is planning to issue an "Advanced Notice of Proposed Rule-making" as a mechanism to solicit input to help evaluate the effectiveness of water quality regulation in the Delta.

Alexis Strauss and/or Karen Schwinn would be the EPA's best regional POC's to discuss this with. I can facilitate a telephone interview for you this afternoon or Tuesday afternoon (based on when Karen & Alexis are available). All information provided would need to be embargoed until the final workplan is actually released.

Please let me know what might work for you.

Thank you,
Mary

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From: "Taughner, Mike" <mtaughner@bayareanewsgroup.com>
To: Mary Simms/R9/USEPA/US@EPA
Date: 12/21/2009 11:28 AM
Subject: RE: EPA Interview - Bay Delta workplan

is this the multi-agency administration plan that was due last week, or is it an EPA plan that is separate?

From: Simms.Mary@epamail.epa.gov [mailto:Simms.Mary@epamail.epa.gov]
Sent: Monday, December 21, 2009 11:23 AM
To: Taughner, Mike
Subject: RE: EPA Interview - Bay Delta workplan

The latest we have available is that the workplan is scheduled to be released tomorrow. However, the federal offices in DC coordinating on this are closed today as a result of inclement weather so as of today the release may be postponed.

Please let me know your thoughts and if you'd like to set up an interview sometime this week.

Very best,
Mary

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From: "Taughner, Mike" <mtaughner@bayareanewsgroup.com>
To: Mary Simms/R9/USEPA/US@EPA

Date: 12/21/2009 11:17 AM
Subject: RE: EPA Interview - Bay Delta workplan

yeah, that's fine.

From: Simms.Mary@epamail.epa.gov [mailto:Simms.Mary@epamail.epa.gov]
Sent: Monday, December 21, 2009 11:15 AM
To: Taugher, Mike
Subject: RE: EPA Interview - Bay Delta workplan

Thanks Mike. I'm only able to share info on an embargoed basis at this time, can you please let me know if you are okay with that?

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From: "Taugher, Mike" <mtaugher@bayareanewsgroup.com>
To: Mary Simms/R9/USEPA/US@EPA
Date: 12/21/2009 10:40 AM
Subject: RE: EPA Interview - Bay Delta workplan

Hi Mary,

When will the plan be released? I'm definitely interested but I'm also very buried this week with a couple of stories.

Mike

From: Simms.Mary@epamail.epa.gov [mailto:Simms.Mary@epamail.epa.gov]
Sent: Friday, December 18, 2009 11:59 AM
To: Taugher, Mike
Subject: EPA Interview - Bay Delta workplan

Hi Mike,

I'm out of the office today but wanted to touch base with you to see if you were interested/available on Monday for an embargoed interview regarding the soon to be released Bay Delta workplan.

If you're interested we can coordinate the details on Monday regarding the specifics of the embargo.

Please let me know what times might work for you if you'd like to set something up, thanks!

Mary

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